

## **NEW HAMPSHIRE FIRE STANDARDS & TRAINING COMMISSION**

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### **MINUTES OF MEETING November 7, 2001**

Members Present: William Porter, Robert Nelson, Rick Plummer, Les Cartier, David Duquette, Scott Carrigan, Roger Hatfield, Paul Fortier, John Hoglund, Peter Russell, Joseph Butts, Charles Chalk, Richard Mason.

Members Absent: Stephen Judge, John Stephen, Donald Bliss.

Others Present: Division of Fire Standards & Training Staff--Bruce McPherson, Bureau Chief; Dennis Rosolen, Bureau Chief; Heather Newland, Recording Secretary.

#### **I. CALL TO ORDER**

**Item 1. Pledge of Allegiance to Flag.** The meeting of the New Hampshire Fire Standards & Training Commission was called to order by Chair Paul Fortier at 12:45 p.m. on Wednesday, November 7, 2001 at the Richard M. Flynn Fire Academy. The Pledge of Allegiance to the Flag was recited.

#### **II. APPROVAL OF MINUTES**

**Item 1. October 3, 2001.** Minutes of the October 3, 2001 Commission meeting were not available.

#### **III. CHAIR'S REMARKS**

Chair Fortier greeted everyone, and stated that he thought we would have a fine day with the festivities in the afternoon and the Academy Awards in the evening.

#### IV. COMMITTEE REPORTS

**Item 1. Emergency Medical Services Liaison.** Commissioner Duquette stated he had nothing new to report.

**Item 2. Curriculum Review.** Commissioner Duquette reported on the following curriculum issues:

- a. C2F2: Commissioner Duquette stated that an issue came up under C2F2 under the wording for the requirement for residency. The issue would be that the Fair Labor Standards Act allows for firefighters to work for training activities over their scheduled hours; in New Hampshire in most cases that is 42 hours, and nationally it is 53 hours. A local contract specifically states that, after 42 hours of scheduled training, the participants would be required to get paid time and a half. It has been brought to the forefront for discussion. He has spoken to Director Mason who has forwarded it to the Attorney General's Office for an opinion. We are not doing anything wrong. What comes into play is whether or not a local contract can override the Fair Labor Standards Act.

Director Mason said the other issue with that is that typically we are going to have probationary firefighters in that program. People will say right away that probationary firefighters are not covered by the contract. But, if you look at step one of the pay and the work hours they work every week, it parallels what the contract says so that is what a lot of the discussion centers around.

Commissioner Duquette stated that, if firefighters go to the National Fire Academy and they are there for two weeks, they don't get paid time a half for every hour over 42. The argument would be that they are there voluntarily.

Commissioner Hatfield asked if the report that Manchester got from Attorney Richard Molan would help us in this matter. Commissioner Duquette said this issue does not concern the people who attend before a department hires them; it's the people who are hired by a full-time department and then they are sent to the program.

Commissioner Hatfield then asked, if a volunteer or call firefighter takes C2F2 on his/her own, and he/she is not hired by a full-time department for two years, are they all set as far as meeting the requirements. Commissioner Duquette answered that once someone is certified, he/she is certified forever.

Chair Fortier stated he looks at this as a red light. He reminded everyone that when this program was proposed, it was the union firefighters who wanted the complete program in residence. Now it's coming back as an overtime issue. He said if anyone is defending the in residence program, it should be the Professional Firefighters of the State of New Hampshire.

Director Mason said that the one issue that Attorney Molan could help with is: does the local contract cover the probationary firefighters.

Director Mason recommended that the Commission members not take any action until an opinion comes back from the Attorney General's Office.

Chair Fortier asked that Commissioner Duquette pass on the Commission members serious concerns on the issue to the leadership of the Professional Firefighters Association; Commissioner Duquette responded that it has already been done.

- b. Hazardous Materials Operations: Captain Roffo explained that the Committee had evaluated the need to replace the current Awareness and Operations programs, and checked on canned programs that are currently available. They looked very heavily at the program available from Maryland Fire & Rescue. They have developed a program that basically incorporates the Awareness and the Operations levels into one program. The Student Manual is done, the PowerPoint program is done other than the final review, and the Instructor Guide is presently being worked on.

Captain Roffo introduced the members of the Visiting Committee who were present—Robert Crowell, Lenny Deane, and Ted Tillson.

Lenny Deane then did a presentation on the proposed program. He stated that the program meets or exceeds the current standards; it is a creditable program to work with the Technician program; it can be updated periodically; it will be field deliverable; and it is a 24-hour program that can be taught by modules. From the EMS perspective, this is a good program. It would be the Committee's recommendation to continue to offer the current Awareness program and archive it in about 12 months. They would also like to see the new program nationally accredited.

Commissioner Hatfield commended the Visiting Committee. He asked if they looked at the IAFF program. They answered that they did look at that. Commissioner Hatfield stated he brought that issue up because they do not use the NIOSH pocket guide in the Maryland program. He thought that was a

critical issue, and stated that the IAFF program covers that. Mr. Deane replied that they looked at the IAFF program, but the Maryland program was the one they like the best. It was also mentioned that the Maryland program complements the Technician program.

Commissioner Cartier said they looked for a program that would enhance the Hazardous Materials Technician program. If there is a section of a program that somebody sees that we could add to this program to enhance it, then we wouldn't be opposed to adjusting that and adding that.

Commissioner Hatfield stated that NIOSH is ten times better than the Department of Transportation Emergency Response Guide Book, and it needs to be added in. Commissioner Cartier responded that his is agreeing and it could be added in.

Chair Fortier stated that we are going to have to vote on this so, if there are any objections, now is the time to state them and convince the rest of the Commission members to hold off or send it back to the Visiting Committee with recommendations.

Chief Rosolen noted that, when you are accredited, you need to make sure the programs you look at follow along with accreditation and with the available testing programs out there that the Pro Board will accept. He also noted that we use the Maryland Technician program; so to use another program, they would not mesh. He stated his charge to this Visiting Committee was to look at the Maryland program and other programs to see what fits. Basically what is happening now is that you are going from A to Z in one curriculum package. This Operations program does a lot of preparatory work to get you into the Technician class. It's not that the IAFF program is no good; it's just that the Maryland program blended very well. Again, as Commissioner Cartier said, if NIOSH is added to it, it's only going to add to it—there's nothing wrong with it at all.

Chair Fortier asked if the IAFF course was one that Visiting Committee evaluated; the answer was yes.

Commissioner Plummer asked if the plan was to vote on this today; Chair Fortier replied yes.

Commissioner Butts asked how much redundancy there is when moving from this program to the Hazardous Materials Technician program and is there going to be redundancy if you go into the Decontamination program. Chief

Rosolen answered that there is some Decon involved in this Operations program. He doesn't believe there is any redundancy between the Operations program and the Technician program; the Operations program flows into the Technician program and contains some Decon. Captain Roffo stated that one reason they looked at the Maryland program was it eliminated a lot of the redundancy. There is redundancy in the terminology and in some of the fire behavior aspects, but that is something that is built into the program because it may be some time between taking Operations and Technician, and you need an understanding. He explained that we did this backwards as the Technician program was the most pressing issue we had. We have a pretty good understanding of what Maryland is doing, and they are doing the same thing we are as far as accreditation as to the test bank they are using.

Commissioner Duquette asked if the Decon class is still going to be available as a stand-alone program. Captain Roffo replied that it will be; it needs to be brought up to speed especially as related to terrorism.

Commissioner Butts asked what we have available for visuals for the Operations program. Mr. Deane replied that it is available as PowerPoint and as overheads, with case studies.

Chair Fortier thanked the Visiting Committee members for their presentation. Director Mason also commended them for their many hours of work.

Captain Roffo noted that the Visiting Committee was recommending that one of the pilot programs be a train-the-trainer for the instructors. Commissioners Carrigan and Hatfield said they disagree with that recommendation. Commissioner Hatfield said that experienced instructors should not have to go through the complete pilot program. Commissioner Porter agreed with Commissioner Hatfield.

**Motion** by Commissioner Cartier, seconded by Commissioner Plummer, to approve the Hazardous Materials Operation curriculum and two pilot programs, one at the Fire Academy and one in the field; motion passed unanimously.

- c. Driver/Operator: The Driver/Operator program is basically a brand new program with so many changes and so different the Visiting Committee is proposing a pilot program with instructors only to get everyone's feedback and to see how long it will take.

Chair Fortier asked, since that raises some debate, if this is something that the Commission members want to look at as a Commission issue, that every time a pilot comes up we have the Visiting Committee explain the necessity in their opinion of a train-the-trainer combined with a pilot program and let this Commission decide. Commissioner Nelson stated that he thinks it is appropriate to listen to some of that discussion. He said that as an instructor he would find it very boring to sit through a whole pilot program as a train-the-trainer; however, if there are dramatic changes with the new program, then it would be beneficial. Director Mason said he agrees with Commissioner Nelson. Regarding accreditation, they like to know what our instructors get for instruction also. Commissioner Cartier noted that most Visiting Committees have instructors on them, and they look at what the best way to do the train-the-trainers will be. The Visiting Committee should then recommend to the Commission. Director Mason referred everyone to RSA 21-P: 12, A and 21-P:25. The Commission certifies instructors, but the Director hires them. Director Mason said he already agreed with Commissioner Porter that each one has to be decided on a case-by-case basis.

Chief Rosolen stated that we are bringing two issues together that really shouldn't be; he thinks pilots should be pilots and train-the-trainers should be train-the-trainers. Keep them totally separate.

Commissioner Duquette reported that the dates for the Driver/Operator train-the-trainer/pilot program are December 10 through 14, 2001.

- d. Hazardous Materials Awareness: Director Mason recommended a vote be taken to remove the current Hazardous Materials Awareness program. Awareness could still be done as a certificate program for industry.

**Motion** by Commissioner Plummer, seconded by Commissioner Duquette, to remove the Hazardous Materials Awareness program 12 months from the date of the official vote to approve the program; motion passed unanimously.

- e. ARFF: Nothing new to report; they were going to be ready for this month, but were asked to change to the December meeting because we wanted to move this meeting along.

**Item 3. Fire Marshal's Office.** Director Bliss was absent. Director Mason stated that Director Bliss is working 26 hours a day right now. He has been named the Preparedness & Security Commission Chair for the State, and it's incredible what they are doing.

**Item 4. Forest Protection Bureau.** Commissioner Nelson reported on the following items:

- a. Closed the fire towers; they are on an as needed basis now.
- b. There was a fire in Chesterfield last night; a person threw their woodstove ashes out on the lawn, caught the leaves on fire, and blew back on the house.
- c. Currently at about 900 wildland fires in the State, with 370 acres burned; above our 20-year average for number of fire starts but well below our annual average of less ½ acre per fire per year.
- d. Fire danger is still quite real; quite dry out there; still keeping a watchful eye.
- e. Sent three of our Special Deputy Wardens to a specialized pump mechanic class last month that was a federal fire course offered by the White Mountain National Forest. Several staff took Fire Prevention Education course last week that was nationally certified.
- f. Forest Ranger hiring—had three in-house candidates who were certified by the Division of Personnel; only one candidate made it through the PT test; will be doing interview later this month for that candidate.
- g. Legislation is out on the warden reappointment process.
- h. Was contacted last week by the Department of Environmental Services; legislation passed last year prohibiting the outdoor burning of domestic rubbish; can only burn clean combustibles. Have seen their first draft of their educational program; being reviewed in house. Will then go out for public comment.
- i. From mutual aid standpoint, there is a new strike team task group memorandum of understanding; has been approved by the Attorney General's Office and has the Fire Marshal's Office blessing.
- j. Discussed earlier this week was the revitalization of the Rural Fire Task Group; invited to the meeting were the Fire Marshal's Office, Fire Standards & Training, the Chiefs Association, the Wardens Association, and the Federation of Mutual Aids for brainstorming. Are looking at this positively.

**Item 5. Physical Performance Entrance Examination Review.** Commissioner Chalk reported he has received positive comments about our changing over to CPAT. At least they know what's coming. The quotes are in for the equipment. Director Mason noted that you have to use CPAT in its entirety or not at all, and you have to make sure it's applicable to your department.

Commissioner Chalk further reported that they will be contacting armories for the use of their facilities to do the test. We are in pretty good shape.

**Item 6. NFPA Standards 1031-1033-1035.** Commissioner Hatfield reported that the Visiting Committee has met and they have been staying in contact with Commissioner Chalk. They are still waiting for material to come in from Maryland and other states

that already have material developed for the Fire Prevention activity. We should be giving them a deadline to give us an actual report. Director Mason noted that Maryland is usually very quick to respond, but they were slowed down by the tornado and are rebuilding now.

Commissioner Hatfield reported that their next meeting is November 15. He asked how everyone felt about asking for an initial report for the January 2 Commission meeting.

**Item 7. Academy Awards.** Commissioner Cartier reported that the Academy Awards are ready to go.

Commissioner Cartier asked if we have ever looked at the qualification requirements. Chair Fortier said there are room for ideas and debates. Director Mason suggested that Commissioner Cartier get together with Dr. Munroe to see what his ideas were when he started this. Commissioner Porter stated we need to spend more time on this.

## **V. REPORT OF THE DIRECTOR**

**Item 1. Director's Report #56** covered the following subjects: 1) Positions Available, 2) ARFF, 3) HB 303, 4) Manchester C2F2, 5) Company Officer Class #15, 6) Dorm Addition, 7) Rooms Painted, and 8) People-to-People.

Other items discussed were:

- 9) We just ordered two trailers that will be air trailers. We have a Hazardous Materials Technician trailer that has shelving on the way. So, if you want to do a Hazardous Materials Technician program, that trailer goes there and it has everything you need to do the program.
- 10) After September 11, Assistant Commissioner of Safety John Stephen called to ask us to do some Emergency Response to Terrorism programs for law enforcement; so we are doing two programs the end of this month. We are allowing 100 per program, and we are over 80 percent committed already.
- 11) Commissioner Nelson asked if there was anything new on the remote training facility for the Lancaster/Littleton area. Director Mason replied that the grant came through. We have ordered the supplies here, and we are going to have a SMART classroom in Lancaster, teaming up with DRED's facility. Phase II has been tentatively approved. It's \$500,000 a year for three years, so the first \$1 million has been approved.



## **VI. OLD BUSINESS**

**Item 1. Boy Scouts Grant.** Commissioner Nelson said he reported last month that they had received two grants through the federal grant, and one had not been followed through on. Since that last meeting, the Boy Scouts have now gone back and they are in the process of being able to get that grant that they thought might be a lost opportunity for the State for Fire Explorers. Hopefully that grant process is still viable even though it's going to take a while to get everything working.

## **VII. NEW BUSINESS**

None.

## **VIII. RETREAT ITEM DISCUSSION**

There wasn't a retreat item assigned for this month. The District Coordinator concept was selected for the December meeting.

## **IX. GOOD OF THE ORDER**

**Item 1. Firefighters Memorial.** Commissioner Chalk reported that there has now been a landscape plan put together by a professional architect. He had a copy available for people to see. There is a stone sign that is going out front. The architect will be here as a supervisor/engineer for the whole project. The quality of his work is impeccable.

Commissioner Nelson offered that on the Division of Forests & Lands staff there is an arborist and a person who works for the Governor's office on working with the trees and that type of plantings around some of the other State buildings around Concord. They may be able to get that person to

**Item 2. Rescue Systems I.** Commissioner Cartier reported that he had the opportunity to take the Rescue Systems I program at the Fire Academy a couple of weeks ago. The people who were in the class were from Maine, Massachusetts, and Rhode Island, and they spoke very highly of the Fire Academy—the personnel we have, the instructors we had working here, and the programs that we have. They all wished they had a facility in their state that was half as good. Some states have absolutely nothing.

**Item 3. Fire Academy Access Road.** Commissioner Russell said that, when they had a tour of the ARFF facility last month, a new access road to the Fire Academy was mentioned in relation to the Department of Transportation's expansion. Director Mason stated that it is contingent on DOT's expansion; if they want it, they will have to do it. It's their choice.

**X. ADJOURNMENT**

***Motion*** made, seconded, and passed to adjourn at 2:47 p.m.

Respectfully submitted,

Richard A. Mason, Director